

ORDINANCE #2026-__

**AN ORDINANCE OF THE MUNICIPALITY
OF PRINCETON AMENDING “THE CODE OF
THE BOROUGH OF PRINCETON, NEW
JERSEY 1974” TO ADD THERETO A NEW
CHAPTER ENTITLED “FILMING”**

BE IT ORDAINED by the Mayor and Council of the Municipality of Princeton as follows:

**Section 1. Regulations pertaining to filming established as new Chapter B23 of the
“Code of the Borough of Princeton, New Jersey 1974.”** The “Code of the Borough of Princeton,
New Jersey 1974” is hereby amended by adding thereto a new chapter B23 entitled “Filming”,
which shall read as follows:

CHAPTER B23. FILMING

§ B23-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

FILMING

The taking of still or motion pictures either on film or videotape or similar recording medium, for commercial or educational purposes intended for viewing on television, in theaters, major linear broadcast network or streaming platforms, or for institutional uses. The provisions of this chapter shall not be deemed to include the "filming" of news stories within the municipality.

MAJOR MOTION PICTURE

Any film which is financed and/or distributed by a major motion picture studio, including but not limited to the following:

- A. NBCUniversal, including Peacock;
- B. Warner Bros. Discovery, including New Line Cinema, HBO, DC Studios and Castle Rock Entertainment;
- C. Paramount Pictures, including Miramax, MTV Films, Showtime, Skydance, Dreamworks and Nickelodeon Movies;

- D. Walt Disney Studios, including 20th Century Studios, Searchlight Pictures, Hulu and Marvel Studios;
- E. Sony Pictures, including Columbia Pictures, Screen Gems and Tristar Pictures;
- F. Amazon MGM Studios;
- G. Netflix Studios;
- H. A24;
- I. Any film for which the budget is at least \$20,000,000; or
- J. Any recurrent weekly television series programming.

PUBLIC LANDS

Any and every public street, highway, sidewalk, square, public park or playground or any other public place within the municipality that is within the jurisdiction and control of the municipality.

§ B23-2. Permit required.

- (a) No person or organization shall film or permit filming on public or on private property where such filming involves the use of public property for the operation, placement or temporary storage of vehicles or equipment utilized in such filming, including, but not limited to, any temporary structure, barricade or device intended to restrict or block off pedestrian or vehicular traffic, without first having obtained a permit from the office of the Municipal Clerk, which permit shall set forth the approved location of such filming and the approved duration of such filming by specific reference to day or dates. Said permit must be readily available for inspection by municipal officials at all times at the site of the filming.
- (b) All permits shall be applied for and obtained from the office of the Municipal Clerk during normal business hours. Applications for such permits shall be in a form approved by the Municipal Clerk and be accompanied by a permit fee in the amount established by this chapter in § B23-13 herein.
- (c) If a permit is issued and, due to inclement weather or other good cause, filming does not in fact take place on the dates specified, the Municipal Clerk may, at the request of the applicant, issue a new permit for filming on other dates subject to full compliance with all

other provisions of this chapter. No additional fee shall be paid for this permit.

§ B23-3. Issuance of permits.

- (a) No permits will be issued by the Municipal Clerk unless applied for at least five or more business days prior to the requested shooting date; provided, however, that the Administrator may waive this period if, in his or her judgment, the applicant has obtained all related approvals and adjacent property owners or tenants do not need to be notified.
- (b) No permit shall be issued for filming upon public lands unless the applicant has provided the municipality with satisfactory proof of the following:
 - (1) Proof of insurance coverage as follows:
 - a. For bodily injury to any one person in the amount of \$500,000 and any occurrence in the aggregate amount of \$1,000,000.
 - b. For property damage for each occurrence in the aggregate amount of \$300,000.
 - (2) An agreement, in writing, whereby the applicant agrees to indemnify and save the municipality harmless from any and all liability, expenses, claims or damages resulting from the use of public lands.
 - (3) The hiring of an off-duty police officer for the times indicated on the permit.
- (c) The holder of the permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Police Department with respect thereto.

§ B23-4. Interference with public activity; notice of filming.

- (a) The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets.

- (b) The holder shall avoid any interference with previously scheduled activities upon public lands and limit, to the extent possible, any interference with normal public activity on such public lands. Where the applicant's production activity, by reason of location or otherwise, will directly involve and/or affect any businesses, merchants or residents, these parties shall be given written notice of the filming at least three days prior to the requested shooting date and be informed that objections may be filed with the Municipal Clerk, said objections to form a part of applicant's application and be considered in the review of the same. Proof of service of notification to adjacent owners shall be submitted to the Municipal Clerk within two days of the requested shooting date.

§ B23-5. Filming in residential zones.

Filming in residential zones shall be permitted Monday through Friday between the hours of 7:00 a.m. and 9:00 p.m. and Saturdays and Sundays between the hours of 8:00 a.m. and 9:00 p.m. The setup, production and breakdown required by all filming shall be included in the hours as set forth herein.

§ B23-6. Filming in State right-of-way.

Filming in any State right-of-way shall require a separate permit from the New Jersey State Department of Transportation.

§ B23-7. Refusal to issue permit; employment of patrolmen and electrician.

- (a) The Administrator may refuse to issue a permit whenever the Administrator determines, on the basis of objective facts and after a review of the application and a report thereon by the Police Department and by other municipal agencies involved with the proposed filming site, that filming at the location and/or the time set forth in the application would violate any law or ordinance or would unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow of vehicular or pedestrian traffic or otherwise endanger the public's health, safety or welfare.
- (b) The municipality reserves the right to require one or more on-site patrolmen in situations where the proposed production may impede the proper flow of traffic, the cost of said patrolman to be borne by the applicant as a cost of production. Where existing electrical power lines are to be utilized by the production, an on-site licensed electrician may be similarly required if the production company

does not have a licensed electrician on staff.

§ B23-8. Appeals.

- (a) Any person aggrieved by a decision of the Administrator denying or revoking a permit or a person requesting relief may appeal to the Mayor and Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Administrator.
- (b) An appeal from the decision of the Administrator shall be filed within ten days of the date of the Administrator's decision. The Mayor and Council shall set the matter down for a hearing within thirty days of the date on which the notice of appeal was filed. The decision of the Mayor and Council shall be in the form of a resolution supporting the decision of the Administrator at the first regularly scheduled public meeting of the Mayor and Council after the hearing on the appeal, unless the appellant agrees in writing to a later date for the decision. If such a resolution is not adopted within the time required, the decision of the Administrator shall be deemed to be reversed, and a permit shall be issued in conformity with the application or the relief shall be deemed denied.

§ B23-9. Waiver of requirements by the Administrator.

- (a) The Administrator may authorize a waiver of any of the requirements, provisions or restrictions of this chapter if the Administrator determines that a waiver thereof may be granted without endangering the public health, safety and welfare. In determining whether to issue a waiver, the Administrator shall consider the following factors:
 - (1) Potential traffic congestion at the location.
 - (2) The applicant's ability to remove the applicant's vehicles and equipment from the public streets or other public property.
 - (3) The extent to which the applicant is requesting restrictions on the use of public streets or public parking facilities during filming.
 - (4) The nature of the filming, including whether filming will take place indoors or outdoors, and the proposed hours for filming.
 - (5) The extent to which the filming may affect adjoining and nearby property owners and occupants.
 - (6) The municipality's prior experience with the applicant, if any.

§ B23-10. Copies of permit; inspections.

Copies of the approved permit will be sent to the Police and Fire Departments before filming takes place and to the New Jersey Motion Picture and Television Commission at njfilm@njeda.gov. The applicant shall allow the Fire Prevention Bureau or other municipal inspectors to inspect the site and the equipment to be used, if deemed necessary. The applicant shall comply with all safety instructions issued by the Fire Prevention Bureau or other municipal inspectors.

§ B23-11. Reimbursement of certain costs.

In addition to the fees or costs set forth in this chapter, the applicant shall reimburse the municipality for any lost revenue, such as parking meter revenue, repairs to public property or other revenues that the municipality was prevented from earning because of filming.

§ B23-12. Special regulations for major motion pictures.

- (a) When filming is requested with respect to a major motion picture, the approved location of such filming and approved duration of such filming by specific reference to day or dates may exceed three consecutive days and/or may exceed six days in duration if approved by the Administrator in his or her discretion following a favorable review of the factors set forth in § B23-9 herein.
- (b) Any days necessary to be used for setup and preparation for a major motion picture filming may, in the discretion of the Administrator, be counted as a filming day where such setup is anticipated to involve one or more of the factors set forth in § B23-9 hereof.

§ B23-13. Fees.

CATEGORY	FEE
Basic filming permit (5 or more days advance notice of the first day of filming)	\$100 (one-time charge) + daily rates set forth below
Expedited basic filming permit (4 or fewer days advance notice of the first day of filming)	\$250 (one-time charge) + daily rates set forth below
Basic filming permit for nonprofits, including student films	\$25 (one-time charge); no daily rate required

Additional charges	
<i>Daily filming on public property</i>	\$500 per day
<i>Daily filming on private property</i>	No charge by the municipality
<i>Hiring of off-duty police and fire inspections, according to agreed-upon public safety plan</i>	Princeton's standard hourly rates for police and fire
<i>Use of Department of Public Works personnel</i>	\$100 per hour for each person used
<i>Street closures</i>	\$1,000 for the first block; \$500 for each additional street that must be closed if it extends through an intersection with another street
<i>Properties in background - or used - in shot</i>	Fee to be negotiated between the production company and the private business or residence
<i>Daily prep of business that is being "dressed"</i>	Fee to be negotiated between the production company and the private business
<i>Daily filming of business that is "dressed"</i>	Fee to be negotiated between the production company and the private business
<i>Parking fees</i>	Same rates that are charged to the public

§ B23-14. Violations and penalties.

Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$2,000; imprisonment for a period not to exceed 90 days; and/or performance of community service for a period not exceeding 90 days, as determined by the Municipal Court Judge. Each day the violation continues shall be considered a separate offense and shall be subject to imposition of a separate penalty.

Section 2. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Township of Princeton and the Code of Borough of Princeton inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 3. Severability. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 4. Effective date; applicability. This ordinance shall take effect upon its passage and publication and as required by law; shall be applicable within the entire municipality of Princeton; and shall become a part of the new Princeton Code once completed and adopted.

Dawn M. Mount, RMC, Clerk

Hon. Mark Freda, Mayor

STATEMENT OF PURPOSE: The purpose of this ordinance is to establish permitting and other requirements for filming of motion pictures and television shows in Princeton.